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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,864	08/02/2001	Kenneth H. Ball		7153

7590 08/26/2003
Irving Keschner
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21515 Hawthorne Boulevard
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EXAMINER

EREZO, DARWIN P

ART UNIT	PAPER NUMBER
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3761

DATE MAILED: 08/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,864

Applicant(s)

BALL, KENNETH H.

Examiner

Darwin P. Erez

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites the limitation "the operating point" in line 1. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 1 recites the limitation "the output of said differential amplifier" in line 6. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 1 recites the limitation "the output of said initialization means" in lines 7 and 9-10. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 1 recites the limitation "the output of said delayed negative feedback circuit" in line 10. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 3 recites the limitation "the gain" in line 1. There is insufficient antecedent basis for this limitation in the claim.
9. Claim 4 recites the limitation "the output of said voltage comparator" in line 1. There is insufficient antecedent basis for this limitation in the claim.
10. Claim 5 recites the limitation "the output of said differential amplifier" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,438,980 to Phillips.
13. As to claim 1, Phillips teaches a circuit comprising a pressure transducer **16**, a differential amplifier **A1**; initialization means **A2** coupled to the output of the differential amplifier; a voltage comparator **A3** coupled to the output of the initialization means; and a delayed negative feedback circuit (col. 4, lines 23-29) coupled to the output of the

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initialization means, the output of the negative feedback being coupled to the differential amplifier.

14. As to claim 3, Phillips teaches the delayed feedback circuit reducing the gain of the differential amplifier to substantially zero during a predetermined time period upon activation of the initialization means and restores the circuit to maximum AC gain at the end of the initialization period (col. 3, lines 30-38).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips in view of US 5,193,393 to Czarnocki.

17. As to claim 2, Phillips is silent with regards to the pressure transducer being piezoresistive sensor.

Czarnocki teaches that it is well known in the art to use a piezoresistive sensor as a pressure transducer (col. 2, lines 63-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a piezoresistive sensor in the device of Phillips because it is well known in the art to use a piezoresistive sensor as a pressure sensor, as disclosed by Czarnocki.

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18. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips in view of US 5,047,007 to McNichols et al.

19. As to claim 5, Phillips is silent with regards to a voltage clamping circuit connected to the output of the differential amplifier.

20. McNichols teaches that it is well known in the art to provide a voltage clamping circuit to a differential amplifier (col. 9, lines 9-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a voltage clamping circuit to the device of Phillips because it is well known in the art to use a voltage clamping connected to a differential amplifier, as disclosed by McNichols.

Allowable Subject Matter

21. Claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darwin P. Erezzo whose telephone number is (703) 605-0420. The examiner can normally be reached on M-F (8:30-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (703) 308-1957. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

dpe



WEILUN LO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700